

## Declaration and Power of Attorney For Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM AND METHOD FOR MANAGING

OPERATING SYSTEMS

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

The specification of which is attached hereto unless the following box is checked:

- 月 日に提出され、米国出願番号または特許協定条約国際出願番号を \_\_\_\_\_ とし、  
 (該当する場合) \_\_\_\_\_ に訂正されました。

was filed on September 10, 1999  
 as United States Application Number or  
 PCT International Application Number  
PCT/JP99/04936 and was amended on  
 \_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

### Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a) - (d)項又は365条(b)項に基き下記の、米国以外の国の少なくとも一ヵ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示している。

**Prior Foreign Application(s)**

外国での先行出願

(Number) (番号)	(Country) (国名)
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(Number) (番号)	(Country) (国名)
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I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
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(Day/Month/Year Filed) (出願年月日)	<input type="checkbox"/>
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私は、第35編米国法典119条(e)項に基いて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.) (出願番号)	(Filing Date) (出願日)
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(Application No.) (出願番号)	(Filing Date) (出願日)
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I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.) (出願番号)	(Filing Date) (出願日)
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(Application No.) (出願番号)	(Filing Date) (出願日)
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私は、下記の米国法典第35編120条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づく権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.) (出願番号)	(Filing Date) (出願日)
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(Application No.) (出願番号)	(Filing Date) (出願日)
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of application.

(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)	<input type="checkbox"/>
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(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)	<input type="checkbox"/>
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私は、私自身の知識に基づいて本宣言書で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の声明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**Japanese Language Declaration**  
**(日本語宣言書)**

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。（弁護士、または代理人の氏名及び登録番号を明記のこと）

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Edward W. Greason, Reg. No.18,918 ; and John C. Altmiller, Reg. No.25,951.

## 書類送付先

Send Correspondence to:

Edward W. Greason

Kenyon &amp; Kenyon

One Broadway, New York, N.Y. 10004

## 直接電話連絡先：（氏名及び電話番号）

Direct Telephone Calls to: (name and telephone number)

Telephone: (212) 425-7200

Fax: (212) 425-5288

唯一または第一発明者	Full name of sole or first inventor
	Takeshi MIYAO
発明者の署名	Inventor's signature
日付	Date
	<i>Takeshi Miyao</i> 08/03/2001
住所	Residence
	Hitachiota, Japan
国籍	Citizenship
	Japan
私書箱	Post Office Address
	c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan

(第二以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for second and subsequent joint inventors.)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

第二共同発明者	Full name of second joint inventor, if any Hirokazu KASASHIMA	
第二共同発明者の署名	日付	Second inventor's signature Date <i>Hirokazu Kasashima</i> 08/03/2001
住所	Residence Hitachi, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	
第三共同発明者	Full name of third joint inventor, if any Tomoaki NAKAMURA	
第三共同発明者の署名	日付	Third inventor's signature Date <i>Tomoaki Nakamura</i> 08/23/2001
住所	Residence Hitachinaka, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	
第四共同発明者	Full name of fourth joint inventor, if any Hirosi OHNO	
第四共同発明者の署名	日付	Fourth inventor's signature Date <i>Hirosi Ohno</i> 08/03/2001
住所	Residence Hitachi, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	
第五共同発明者	Full name of fifth joint inventor, if any Tadashi KAMIWAKI	
第五共同発明者の署名	日付	Fifth inventor's signature Date <i>Tadashi Kamiwaki</i> 08/09/2001
住所	Residence Tokai, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan	

(第六以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for sixth and subsequent joint inventors.)

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

第六共同発明者		Full name of sixth joint inventor, if any Masahiko SAITO	
第六共同発明者の署名	日付	Sixth inventor's signature	Date <i>Masahiko Saito</i> 08/04/2001
住所		Residence	Mito, Japan
国籍		Citizenship	Japan
私書箱		Post Office Address	c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan
第七共同発明者		Full name of seventh joint inventor, if any Taro INOUE	
第七共同発明者の署名	日付	Seventh inventor's signature	Date <i>Taro Inoue</i> 08/07/2001
住所		Residence	Yamato, Japan
国籍		Citizenship	Japan
私書箱		Post Office Address	c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan
第八共同発明者		Full name of eighth joint inventor, if any	
第八共同発明者の署名	日付	Eighth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
私書箱		Post Office Address	
第九共同発明者		Full name of ninth joint inventor, if any	
第九共同発明者の署名	日付	Ninth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
私書箱		Post Office Address	

(第十以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for tenth and subsequent joint inventors.)

Docket No.: N9450.0055/P055-A  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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In re Patent Application of:  
Takeshi Miyao et al.

Art Unit: 2176

Application No.: Not yet assigned  
(Continuation of 09/914,814)

Filed: July 5, 2002

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For: **SYSTEM AND METHOD FOR  
MANAGING OPERATING SYSTEMS**

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**POWER OF ATTORNEY (BY ASSIGNEE)**

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Hitachi, Ltd., the assignee of the above-referenced continuation application, as evidenced by the Assignment for the parent application, dated August, 2001 (copy enclosed), which was submitted to the U.S. Patent and Trademark Office for recordation, hereby revokes any and all powers of attorney previously given in connection with the continuation application, and hereby appoints the following attorneys and/or agents to prosecute the application and transact all business in the U.S. Patent and Trademark Office connected therewith: Edward A. Meilman, Reg. No. 24,735, Gary M. Hoffman, Reg. No. 26,411, Steven I. Weisburd, Reg. No. 27,409, Thomas J. D'Amico, Reg. No. 28,371, Donald A. Gregory, Reg. No. 28,954, Stephen A. Soffen, Reg. No. 31,063, James W. Brady, Jr., Reg. No. 32,115, Jon D. Grossman, Reg. No. 32,699, Mark J. Thronson, Reg. No. 33,082, Michael J. Scheer, Reg. No. 34,425, and Eric Oliver, Reg. No. 35,307, of Dickstein Shapiro Morin & Oshinsky LLP

Address all communications to:

Mark J. Thronson, Esq.  
Dickstein Shapiro Morin & Oshinsky LLP  
2101 L Street, N.W.  
Washington, D.C. 20037-1526  
(202) 775-4742

The undersigned is an authorized representative of Hitachi, Ltd.

Hitachi, Ltd.

By: 

Date: Sept. 24, 2002

Name: Yasuo SAKUTA, Patent Attorney  
Executive Managing Director,  
Intellectual Property Group  
Title: (Authorized Signing Officer)

# ASSIGNMENT (譲渡証)

As a below named inventor, I hereby declare that:

IN CONSIDERATION of the sum of One Dollar (\$1.00) or the equivalent thereof, and other good and valuable consideration paid to me or us citizen(s) of Japan by HITACHI, LTD., a corporation organized under the laws of Japan, located at 6, Kanda Surugadai 4-chome, Chiyoda-ku, Tokyo, Japan, receipt of which is hereby acknowledged I do hereby sell and assign to said HITACHI, LTD., its successors and assigns, all my right, title and interest, in and for the United States of America, in and to

## SYSTEM AND METHOD FOR MANAGING OPERATING SYSTEMS

invented by me or us and described in the application for United States Letters Patent therefor, executed on even date herewith, and all United States Letters Patent which may be granted therefor, and all divisions, continuations and extensions thereof, the said interest being the entire ownership of the said Letters Patent when granted, to be held and enjoyed by said HITACHI, LTD., its successors, assigns or other legal representatives, to the full end of term for which said Letters Patent may be granted, as fully and entirely as the same would have been held and enjoyed by me or us if this assignment and sale had not been made;

And I hereby agree to sign and execute any further documents or instruments which may be necessary, lawful, and proper in the prosecution of the above-named application or in the preparation and prosecution of any continuing, continuation-in-part, substitute, divisional, renewal, reviewed or reissue applications or in any amendment, extension, or interference proceedings, or otherwise to secure the title thereto in said assignee;

And I do hereby authorize and request the Commissioner of Patents to issue said Letters Patent to said HITACHI, LTD.

Signed on the date(s) indicated aside signatures:

	INVENTOR(S) (発明者フルネームサイン)	Date Signed (署名日)
1) Takeshi MIYAO		08/03/2001
2) Hirokazu KASASHIMA		08/03/2001
3) Tomoaki NAKAMURA		08/23/2001
4) Hiroshi OHNO		08/03/2001
5) Tadashi KAMIWAKI		08/09/2001
6) Masahiko SAITO		08/04/2001
7) Taro INOUE		08/07/2001
8)		
9)		
10)		